IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM NO.64242-M of 2006
DATE OF DECISION.12.12.2006

Bhagwan Singh .....Petitioner

Versus

State of Haryana .....Respondent

CORAM HON'BLE MR. JUSTICE AJAI LAMBA

PRESENT Mr.G. S. Lalli, Advocate
Mr. S. K. Jain, Advocate
for complainant.
Mr. Narender Sura, AAG, Haryana.

AJAI LAMBA , J(Oral)

This is a petition under Section 438 of the Code of Criminal Procedure for bail in a case lodged under Sections 323, 324, 506, 307, 34 IPC.

On the earlier date it was pleaded that the petitioner is an aged person of 72 years and is suffering from Paralysis. As per the allegations in FIR he gave a stick blow on the head of the father of the complainant.

Learned counsel appearing for the respondent / complainant states that the petitioner in-fact is 64 years of age.

Learned counsel appearing for the respondent / State has pointed out that the Investigating Officer has verified the facts with regard to the ailment of the petitioner. Petitioner is not suffering from Paralysis.

Having gone through the order passed by Additional Sessions Judge, Sirsa, I find that before that Court, the plea taken was that

the petitioner was a patient of arthritis . Per-se therefore, contradictory plea has been taken by the petitioner so as to obtain concession.

No ground for bail is made out.

Dismissed.

December12,2006 **(AJAI LAMBA)**
mamta **JUDGE**